



February 26, 2006

Dear Ambassador Schwab:

I have the honor to confirm the following understandings reached between our Governments during the course of the negotiation of the United States – Andean Trade Promotion Agreement:

Colombia and the United States (hereinafter, the Parties) agree on the following provisions, with a view to facilitating trade between the Parties while preserving each Party's right to protect human, animal or plant life or health in its territory and respecting each Party's regulatory systems and risk assessment and policy development processes:

1. Colombia confirms that it shall continue to recognize the U.S. inspection system for meat and poultry as equivalent to that of Colombia and shall not require approval of individual U.S. establishments by the Colombian Ministry of Agriculture or any other Colombian ministry or sanitary authority, in accordance with its rights and obligations under the WTO SPS Agreement. Colombia confirms that it shall continue to accept meat and poultry shipments accompanied by USDA Food Safety Inspection Service (FSIS) Export Certificates of Wholesomeness, including additional declarations agreed by relevant sanitary authorities from both countries.
2. Colombia recognizes the measures taken by the United States with regard to Bovine Spongiform Encephalopathy (BSE). Colombia conducted a verification visit on December 12 - 20, 2005. Colombia confirms that, in accordance with the World Organization for Animal Health (OIE) Terrestrial Animal Health Code, it shall permit by no later than April 15, 2006, the importation of U.S. meat and products listed in OIE's Terrestrial Animal Health Code Article 2.3.13.1, in addition to kidneys, livers, and stomachs, accompanied by USDA Food Safety Inspection Service (FSIS) Export Certificates of Wholesomeness. Colombia shall permit the importation of other U.S. meat and meat products not listed in OIE's Terrestrial Animal Health Code Article 2.3.13.13 by no later than May 31, 2006, based on the



Ministerio de Comercio, Industria y Turismo
República de Colombia

results of the risk assessment being conducted in accordance with OIE's Terrestrial Animal Health Code.

3. To confirm that the United States meets OIE guidelines on Avian Influenza, Colombian authorities conducted a verification visit to the United States on December 12 - 20, 2005. Based on information previously submitted by USDA, Colombia shall complete its science-based review and shall permit by no later than May 15, 2006, based on OIE guidelines and recommendations, the importation of U.S. poultry and poultry products from all U.S. States accompanied by an FSIS Export Certificate of Wholesomeness.
4. The Parties pledge to urge their specialized agencies to implement technical and scientific work dedicated to achieving market access to make the bilateral trade of beef and beef products of mutual benefit for both Parties.

I have the honor to confirm that this letter and your letter of confirmation in reply shall constitute an agreement between our two Governments, to enter into force on this day.

Sincerely,

Jorge Botero
Minister of Trade

Andres Arias
Minister of Agriculture

EXECUTIVE OFFICE OF THE PRESIDENT
DEPUTY UNITED STATES TRADE REPRESENTATIVE
WASHINGTON, D.C. 20508

February 26, 2006

Dear Ministers Botero and Arias:

I have the honor to acknowledge receipt of your letter of this date which reads as follows:

"I have the honor to confirm the following understandings reached between our Governments during the course of the negotiation of the United States – Andean Trade Promotion Agreement:

The United States and the Colombia (hereinafter, the Parties) agree on the following provisions, with a view to facilitating trade between the Parties while preserving each Party's right to protect human, animal or plant life or health in its territory and respecting each Party's regulatory systems and risk assessment and policy development processes:

1. Colombia confirms that it shall continue to recognize the U.S. inspection system for meat and poultry as equivalent to that of Colombia and shall not require approval of individual U.S. establishments by the Colombian Ministry of Agriculture or any other Colombian ministry or sanitary authority, in accordance with its rights and obligations under the WTO SPS Agreement. Colombia confirms that it shall continue to accept meat and poultry shipments accompanied by USDA Food Safety Inspection Service (FSIS) Export Certificates of Wholesomeness, including additional declarations agreed by relevant sanitary authorities from both countries.
2. Colombia recognizes the measures taken by the United States with regard to Bovine Spongiform Encephalopathy (BSE). Colombia conducted a verification visit on December 12 - 20, 2005. Colombia confirms that, in accordance with the World Organization for Animal Health (OIE) Terrestrial Animal Health Code, it shall permit by no later than April 15, 2006, the importation of U.S. meat and products listed in OIE's Terrestrial Animal Health Code Article 2.3.13.1, in addition to kidneys, livers, and stomachs, accompanied by USDA Food Safety Inspection Service (FSIS) Export Certificates of Wholesomeness. Colombia shall permit the importation of other U.S. meat and meat products not listed in OIE's Terrestrial Animal Health Code Article 2.3.13.13 by no later than May 31, 2006, based on the results of the risk assessment being conducted in accordance with OIE's Terrestrial Animal Health Code.
3. To confirm that the United States meets OIE guidelines on Avian Influenza, Colombian authorities conducted a verification visit to the United States on December 12 - 20, 2005. Based on information previously submitted by USDA,

Colombia shall complete its science-based review and shall permit by no later than May 15, 2006, based on OIE guidelines and recommendations, the importation of U.S. poultry and poultry products from all U.S. States accompanied by an FSIS Export Certificate of Wholesomeness.

4. The Parties pledge to urge their specialized agencies to implement technical and scientific work dedicated to achieving market access to make the bilateral trade of beef and beef products of mutual benefit for both Parties."

I have the honor to confirm that my Government shares this understanding and that your letter and this reply, shall constitute an agreement between our two Governments, to enter into force on this day.

Sincerely,



Susan C. Schwab